REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-14, 18-22, 29, and 30 are currently pending in this application. Claims 1 and 18 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 18.

Claim Amendments

The independent claims have been amended to clarify that the receiver/decoder has access to a unique identifier that is used to authenticate the receiver/decoder with a gateway that provides the receiver/decoder with access to a network for internet services. The unique identifier is associated with the *receiver/decoder's subscription to broadcast services*. Said another way, the receiver/decoder obtains internet access through the receiver/decoder's access to broadcast services. Support for this amendment may be found, for example, on page 2 of the Specification. No new subject matter is added by way of these amendments.

Rejections under 35 U.S.C. § 112

Claims 12-13, 20-22, and 29-30 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for insufficient antecedent basis. Claims 12, 20, and 21 have been amended by this reply to correct antecedent basis issues. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-11 and 18-21 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,983,273 ("White"). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

The claimed invention relates to a method for enabling a receiver/decoder, which is not IP enabled, to access a network. Instead of directly accessing the network via, for example, the Internet Protocol (IP), the receiver/decoder uses a proxy or gateway as a means to obtain access to the network. Access to the network is provided by authenticating the user using a broadcast identifier that is *associated only with the user's subscription to broadcast services*.

White relates to providing physical security for a user account (*see* White, Abstract). In White, a user's smartcard is detected and user credentials from the smartcard are used to initiate a user session for access to a WebTV server (*see* White, col. 1, ll. 56-67). Further, White discloses that the server configures the user's WebTV client terminal. Upon receiving smartcard identification information from the WebTV client terminal, the WebTV server obtains configuration information associated with the user and downloads the configuration information to the WebTV client (*see* White, col. 2, ll. 4-12).

Turning to the rejection of the claims, for anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. The Applicant respectfully asserts that White does not teach or suggest a unique identifier associated with the receiver/decoder that is based on the receiver/decoder's subscription to broadcast services for at least the following reasons:

(i) White fails to disclose or suggest that the unique customer ID is associated with a *subscription to broadcast services*. Rather, White only discloses that the unique customer ID may be used to *regulate access* to a WebTV service (broadcast service). However, in the present invention, the receiver/decoder is associated with a subscription to broadcast services, such as digital television services, and the *unique identifier is based on that subscription* (such as, for example, the unique identifier may contain part of the subscription number or be a function of the subscription number for the subscription to broadcast services). Controlling access to WebTV services using the unique customer ID is **not** the same as having the unique customer ID that is based on a subscription to the WebTV services. Therefore, White clearly fails to disclose this limitation of the amended independent claims.

(ii) White fails to disclose or suggest that the unique customer ID is used to authenticate communication between *a receiver/decoder and a gateway* that provides the receiver/decoder with access to a network. In fact, White only mentions that the unique customer ID is used to provide the user access to services of the WebTV and/or regulate initial access to the WebTV service (*see* White, col. 5, ll. 55-58). The cited portion of White (*i.e.,* col. 4, ll. 46-53) discloses a modem pool that the Examiner asserts serves as the gateway of the present invention. Even assuming *arguendo* that this is true, the unique customer ID of White (or any other identifier mentioned in White, for that matter) does not authenticate communication between the WebTV client and the modem pool. In fact, this is not possible because the WebTV system disclosed in White is *itself* a proxy/go-between the Internet and the WebTV box (*see* White, reference numeral 10 in

Figure 2). That is, The WebTV system disclosed in White is a self-sufficient system that does not need to use a subscription to broadcast services in order to provide internet services/access to a network. The WebTV system disclosed in White can provide access to internet services without the aid of anything else, such as a subscription to broadcast services. In contrast, in the claimed invention, the receiver/decoder is provided access to the network *through* its subscription to broadcast services. Because of this distinction between White and the claimed invention, there is no need for White to use an existing subscription to provide access to Internet services. Rather, the WebTV system is capable of providing a WebTV client with Internet access via itself (*i.e.*, on its own).

In view of the above, it is clear that White fails to disclose or suggest each and every limitation of the amended independent claims. Thus, amended independent claims 1 and 18 are patentable over White. Dependent claims 2-11 and 19-21 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 103(a)

Claims 12-13, 22, and 29-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over White and further in view of U.S. Patent No. 6,301,661 ("Shambroom"). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

As described above, White fails to teach or suggest all the limitations of amended independent claims 1 and 18. Further, Shambroom fails to supply that which White lacks. Shambroom relates to providing enhanced security for applications employing downloadable, executable content (*see* Shambroom, col. 2, ll. 21-23). Shambroom fails to teach or suggest using a unique identifier based on the receiver/decoder's subscription to broadcast services to

authenticate the communication between the receiver/decoder and a gateway that is configured to provide indirect access to a network to the receiver/decoder.

In view of the above, it is clear that amended independent claims 1 and 18 are patentable over White and Shambroom, whether considered separately or in combination. Further, dependent claims 12-13, 22, and 29-30 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345.042001).

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Respectfully submitted,

By_____

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